

---

By: **Delegate Zirkin**  
Introduced and read first time: February 13, 2003  
Assigned to: Rules and Executive Nominations

---

A BILL ENTITLED

1 AN ACT concerning

2 **Department of Juvenile Justice - Chesapeake Bay Pilot Program**

3 FOR the purpose of requiring the Department of Juvenile Justice, in cooperation with  
4 the Department of Natural Resources, to establish a Chesapeake Bay Pilot  
5 Program in the State; establishing a certain exception to the requirement that  
6 the Department of Juvenile Justice place children in group homes that are  
7 operated by a nonprofit or for-profit entity; requiring the Program to be  
8 operated by the Department of Juvenile Justice and located near the  
9 Chesapeake Bay; requiring the Program, in cooperation with the State  
10 Department of Education, to provide certain educational instruction; making  
11 certain provisions relating to education applicable to the educational instruction  
12 provided by the Program; requiring the Program to provide certain services;  
13 authorizing the Governor to include funds in the State budget for the Program;  
14 authorizing the Department to adopt certain regulations; defining a certain  
15 term; providing for the termination of this Act; and generally relating to the  
16 Chesapeake Bay Pilot Program.

17 BY repealing and reenacting, with amendments,  
18 Article 83C - Juvenile Justice  
19 Section 2-120  
20 Annotated Code of Maryland  
21 (1998 Replacement Volume and 2002 Supplement)

22 BY adding to  
23 Article 83C - Juvenile Justice  
24 Section 2-120.1  
25 Annotated Code of Maryland  
26 (1998 Replacement Volume and 2002 Supplement)

27 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
28 MARYLAND, That the Laws of Maryland read as follows:

1

**Article 83C - Juvenile Justice**

2 2-120.

3 (a) The Department shall provide for care, diagnosis, training, education, and  
4 rehabilitation of children by placing them in group homes and institutions that,  
5 EXCEPT AS PROVIDED IN § 2-120.1 OF THIS SUBTITLE, are operated by any nonprofit  
6 or for-profit entity.

7 (b) (1) The Department shall reimburse these entities for the cost of these  
8 services at appropriate monthly rates that the Department determines, as provided in  
9 the State budget.

10 (2) The reimbursement rate may differ between homes and institutions  
11 that provide intermediate services, as defined by the Department, and homes and  
12 institutions that provide full services.

13 (c) The Department may not place a child in a group home or other residential  
14 facility that is not operating in compliance with applicable State licensing laws.

15 2-120.1.

16 (A) IN THIS SECTION, "CHESAPEAKE BAY PILOT PROGRAM" MEANS A  
17 PROGRAM FOR A GROUP HOME IN WHICH THE ACTIVITIES ARE RELATED TO THE  
18 CHESAPEAKE BAY AS MUCH AS POSSIBLE.

19 (B) (1) THE DEPARTMENT, IN COOPERATION WITH THE DEPARTMENT OF  
20 NATURAL RESOURCES, SHALL ESTABLISH AT LEAST ONE CHESAPEAKE BAY PILOT  
21 PROGRAM IN THE STATE.

22 (2) THE PROGRAM SHALL BE OPERATED BY THE DEPARTMENT AND  
23 LOCATED NEAR THE CHESAPEAKE BAY.

24 (C) (1) IN COOPERATION WITH THE STATE DEPARTMENT OF EDUCATION,  
25 THE PROGRAM SHALL PROVIDE EDUCATIONAL INSTRUCTION THAT IS DESIGNED TO  
26 MEET THE PARTICULAR NEEDS OF THE GROUP HOME POPULATION.

27 (2) THE EDUCATIONAL INSTRUCTION SHALL BE CONDUCTED ON SITE,  
28 FOR 12 MONTHS OF THE YEAR, BY TEACHERS WHO HOLD A CERTIFICATE UNDER  
29 TITLE 6, SUBTITLE 1 OF THE EDUCATION ARTICLE.

30 (3) EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION, THE  
31 PROVISIONS OF DIVISION I AND DIVISION II OF THE EDUCATION ARTICLE SHALL  
32 APPLY TO THE EDUCATIONAL INSTRUCTION PROVIDED BY THE PROGRAM  
33 ESTABLISHED UNDER THIS SECTION.

34 (D) IN ADDITION TO THE EDUCATIONAL INSTRUCTION DESCRIBED IN  
35 SUBSECTION (C) OF THIS SECTION, THE PROGRAM SHALL PROVIDE, AS NECESSARY:

36 (1) MEDICAL AND MENTAL HEALTH SERVICES; AND

1           (2)     ALCOHOL AND DRUG ABUSE SERVICES.

2     (E)     FOR FISCAL YEAR 2004 AND EACH SUCCEEDING FISCAL YEAR, THE  
3 GOVERNOR MAY INCLUDE FUNDS IN THE STATE BUDGET FOR THE PROGRAM.

4     (F)     THE DEPARTMENT MAY ADOPT REGULATIONS TO IMPLEMENT THE  
5 PROVISIONS OF THIS SECTION.

6     SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
7 October 1, 2003. It shall remain effective for a period of 3 years and, at the end of  
8 September 30, 2006, with no further action required by the General Assembly, this  
9 Act shall be abrogated and of no further force and effect.